

### **REMARKS**

This amendment is submitted along with a request for a two month extension and appropriate fee in response to the Office Action dated September 12, 2005. Claims 1-32 currently stand rejected. Applicants have amended claims 13 and 29 to further distinguish the claimed invention over the cited references. Claims 18-21, 23 and 28 were amended to correct the dependencies of these claims. No new matter has been added by the amendment. Claims 1-12 and 17 have been canceled without prejudice.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

### **Specification Objections**

The Office Action has objected to the specification for containing certain informalities. Applicants have amended the specification to cure the objectionable informalities. Specifically, page 11 of the specification has been amended to change the reference to "MLP phoneme counter 6" to recite --MLP phoneme counter 23--. Additionally, page 8 of the specification has been amended to change the reference to "mobile station 1" to recite --portable device--. Additionally, Applicants have corrected a spelling error in the paragraph on page 3, lines 18-24.

Accordingly, Applicants respectfully request that the objections to the specification be withdrawn.

### **Information Disclosure Statement (IDS)**

The Office Action has placed Applicants on notice that the listing of references in the specification is not a proper IDS. Accordingly, Applicants have filed herewith an IDS listing the references previously referred to in the specification.

### **Claim Rejections Under 35 U.S.C. §102(b)**

Claims 1, 2 and 5-12 stand rejected under 35 U.S.C. §102(b) as being anticipated by Gerber (paper on "A general approach to speech recognition"). Claims 13, 14, 17, 18, 21 and 25-29 also stand rejected 35 U.S.C. §102(b) as being anticipated by Russell et al. ("Measure of

local speaking-rate for automatic speech recognition”, hereinafter “Russell). Claims 1-12 and 17 have been canceled without prejudice, thus the rejections of these claims are now moot.

Independent claims 13, 27 and 29 have been amended to recite, *inter alia*, biasing the transition probabilities in dependence on an estimated number of phonetic segments in an utterance.

To the contrary, Russell is concerned only with the rate of speaking. While variations in the rate of speaking may cause changes in the length of phonemes, the rate of speaking will not impact the number of phonemes in any particular utterance. Since Russell is not concerned with the number of phonemes in any particular utterance, Russell fails to teach or suggest biasing the transition probabilities in dependence on an estimated number of phonetic segments in an utterance as claimed in independent claims 13, 27 and 29.

Claims 14, 18, 21, 25, 26 and 28 depend either directly or indirectly from corresponding ones of independent claims 13, 27 and 29, and thus include all the recitations of their corresponding independent claims. Therefore, dependent claims 14, 18, 21, 25, 26 and 28 are patentable for at least those reasons given above for independent claims 13, 27 and 29.

Accordingly, for all the reasons stated above, Applicants respectfully submit that the rejections of claims 13, 14, 18, 21 and 25-29 are overcome.

### **Claim Rejections Under 35 USC §103**

Claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gerber in view of Bergstrom et al. (U.S. Patent No. 5,737,716, hereinafter “Bergstrom”). Claims 3 and 4 have been canceled without prejudice, thus the rejections of claims 3 and 4 are now moot. Claims 15, 16, 19, 20, 22-24 and 30-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Russell in view of various combinations of James et al. (“A Fast Lattice-Based Approach to Vocabulary Independent Wordspotting”, hereinafter “James”), Bergstrom, Gupta et al. (U.S. Patent No. 5,390,278, hereinafter “Gupta ‘278”), Gupta et al. (U.S. Patent No. 6,138,095, hereinafter “Gupta ‘095”), Ueyama et al. (U.S. Patent Application Publication No. 2001/0056346, hereinafter “Ueyama”) and Schwartz et al. (U.S. Patent No. 5,621,859, hereinafter “Schwartz”).

As stated above, Russell fails to teach or suggest biasing the transition probabilities in dependence on an estimated number of phonetic segments in an utterance as claimed in independent claims 13, 27 and 29. James, Bergstrom, Gupta '278, Gupta '095, Ueyama and Schwartz also each fail to teach or suggest biasing the transition probabilities in dependence on an estimated number of phonetic segments in an utterance as claimed in independent claims 13, 27 and 29 and are not cited as such.

Since Russell, James, Bergstrom, Gupta '278, Gupta '095, Ueyama and Schwartz each fail to teach or suggest the aforementioned features of independent claims 13, 27 and 29, any combination of the cited references also fails to teach or suggest the subject matter of independent claims 13, 27 and 29. Thus, the cited references, taken either individually or in combination, do not anticipate, or render independent claims 13, 27 and 29 obvious. Claims 15, 16, 19, 20, 22-24 and 30-32 depend either directly or indirectly from a corresponding one of independent claims 13 and 29, and as such, include all the recitations of their corresponding independent claims. Dependent claims 15, 16, 19, 20, 22-24 and 30-32 are therefore patentably distinct from the cited references, individually or in combination, for at least the same reasons as given above for independent claims 13, 27 and 29.

Furthermore, although the dependent claims are at least patentable due to their dependency from independent claims which are believed to be patentably distinct over the cited references, some of the dependent claims recite still further subject matter that is believed to be patentably distinct over the cited references. For example, dependent claim 31 recites, *inter alia*, decoding a sequence of phonetic segment models without an application of transition bias and normalizing the resulting scores by a contribution proportional to the transition bias. Although Gupta '095 is cited as disclosing such feature, Applicants respectfully disagree. Gupta '095 discloses that recognition of an utterance can be rejected based on applying different thresholds for different utterance lengths, which the Office Action asserts is synonymous with the idea of setting different transition biases that are utterance length dependent. Applicants submit that rejection of an utterance based on a relationship between utterance lengths relative to a threshold is entirely different than setting a different transition bias based on utterance length. Accordingly, Applicants submit that the cited references fail to teach or suggest decoding a

Appl. No.: 10/020,895  
Filed: December 19, 2001  
Amdt. dated 02/13/2006

sequence of phonetic segment models without an application of transition bias and normalizing the resulting scores by a contribution proportional to the transition bias as claimed in dependent claim 31, thereby providing yet further evidence of the patentability of dependent claim 31.

Accordingly, for all the reasons stated above, Applicants respectfully submit that the rejections of claims 15, 16, 19, 20, 22-24 and 30-32 under 35 U.S.C. §103(a) are overcome.

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### CONCLUSION

In view of the amended claims and the remarks presented above, it is respectfully submitted that all of the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

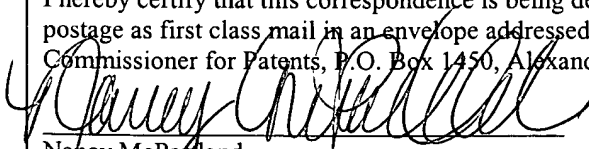


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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 13, 2006



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CLT01/4791464v1